

Docket No.: K-126B

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of :
In Tae HWANG :
Continuation Application of U.S. Patent Application :
Serial No. 09/484,169 :
Filed: September 8, 2003 : Customer No.: 34610
For: RADIO PROTOCOL FOR MOBILE COMMUNICATION SYSTEM AND METHOD

INFORMATION DISCLOSURE STATEMENT

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

Pursuant to 37 C.F.R. 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. One copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the indicated date. Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, that information cited in the statement is considered to be and/or is material to patentability, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. §120. 1138 OG 37, 38 (May 19, 1992).

- X 1. This Information Disclosure Statement is being filed (i) within three months of the U.S. filing date of a U.S. application other than a CPA continued prosecution application under §1.53(d) OR (ii) within three months of the date of entry of the national stage as set forth in §1.491 in an international application OR (iii) before the mailing date of a first Office Action on the merits. No certification or fee is required. 37 C.F.R. §1.97(b).
- 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection OR Notice of Allowance OR an action that otherwise closes prosecution in the application. 37 C.F.R. §1.97(c).
- a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).

- b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).
- c. Attached is our check no. _____ in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 16-0607 as needed to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached.
- 3. This Information Disclosure Statement is being filed after the mailing date of a Final Rejection OR Notice of Allowance OR an action that otherwise closes prosecution in the application, but on or before payment of the Issue Fee. Attached is our check no. ____ in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 16-0607 as needed to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached. 37 C.F.R. §1.97(d).
- a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).
- b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).
- X 4. Copies of the references were cited by or submitted to the Office in parent application No. 09/439,612 filed November 12, 1999, which is relied upon for an earlier filing date under 35 U.S.C. §120. Thus, copies of these references are not attached. 37 C.F.R. §1.98(d).
- X 5. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP

Daniel Y.J. Kim
Registration No. 36,186

P.O. Box 221200
Chantilly, Virginia 20153-1200
703 502-9440 DYK/dak
Date: September 8, 2003

Please direct all correspondence to Customer Number 34610

LIST OF PRIOR ART CITED BY APPLICANT (PTO-1449)				ATTY. DOCKET NO. K-126B		APPLN. SERIAL NO. Continuaton of U.S. Patent Application Serial No. 09/484,169	
				APPLICANT(S) In Tae HWANG			
				FILING DATE September 5, 2003		GROUP To be assigned	
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	*PATENT NO.	*ISSUE DATE	*INVENTOR NAME	CLASS	SUBCLASS	FILING DATE	
	6,477,670 B1	11/05/2002	Ahmadvand	714	712	11/12/1999	
	6,434,133 B1	08/13/2002	Hämäläinen	370	338	10/28/1998	
	6,385,451 B1	05/07/2002	Kalliokulju et al.	455	437	09/13/1999	
	6,363,058 B1	03/26/2002	Roobol et al.	370	310	04/15/1998	
	6,307,867 B1	10/23/2001	Roobol et al.	370	470	05/14/1998	
	5,946,634	08/13/1999	Korpela	455	552	12/23/1997	
U.S. PATENT APPLICATION PUBLICATIONS							
	*PATENT APPLN. PUB. NO.	*PUB. DATE	*APPLICANT	CLASS	SUBCLASS		
U.S. PATENT APPLICATIONS							
	*APPLN. NO.	*FILING DATE	*INVENTOR	CLASS	SUBCLASS		
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No
	WO 98/48581	10/29/1998	WIPO			X	
OTHER ART (Including Author, Title, Date, Pertinent Pages, Publisher, Place of Publication, Etc.)							
	Nikula, E.; Toskala, A.; Dahlman, E.; Girard, L.; Klein, A., "FRAMES multiple access for UMTS and IMT-2000," IEEE Personal Communications, April 1998, Vol. 5, Issue 2, Pgs. 16-24 (ISSN: 1070-9916).						
	Roobol, C.; Beming, P.; Lundsjö, J.; Johansson, M., "A proposal for an RLC/MAC Protocol for Wideband CDMA Capable of Handling Real Time and Non Real Time Services," 48th IEEE Vehicular Technology Conference, May 18-21, 1998, Pgs. 107 - 111.						
EXAMINER				DATE CONSIDERED			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.